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June 10, 2017

AUSA Laura Kaplan
Office of The United States Attorney
Moakley Courthouse
One Courthouse Way
Boston, Ma 02210

RE: United States v. John Fidler, et al.
Criminal No. 15-10300-DPW

Dear Laura:

Defendants respond to the government's June 6, 2017 letter concerning evidentiary admission of certain exhibits as follows;

Defendants agree to stipulate to the authenticity of the items enumerated below thereby removing the need to call a witness to authenticate the items. However, defendants reserve their right to object to the items on any other grounds. At this time, defendants do not stipulate to the admissibility of any items enumerated in your letter that are not listed below. If, however, the government were to release *Jencks* Material, defendants may stipulate to the admission of further materials.

1. Photographs taken by production assistants of tire damage.
2. Business records of enterprise relating to tire repair and replacement.
3. Telephone Records, provided, however, that the government reasonable identifies the phone calls it intends to introduce and that the government is amenable to stipulate to telephone records the defense will likely want to introduce through summary charts (calls will be identified).
4. Milton Police Dept. traffic surveillance videotape. (Please inform counsel the government intends to introduce a higher-quality or enhanced version of the video produced in discovery. If such video exists, counsel requests a copy or viewing and reserves further objection.)

5. Teamsters Local 25 New England Motion Picture Collective Bargaining Agreement, transmitted by Sean O'Brien, as president of IBT Local 25, to Company A's representative a/k/a Magical Elves/Bravo Company.

6. RSIG Security for extra officers.

7. Milton Police Dept. invoice for special detail.

8. Photographs but not video recordings released in discovery taken at Steel & Rye on June 10, 2014. The defense believes that the videos are incomplete or misleading. Defendants request that the government release *Jencks* material related to these videos and the witnesses who produced or authenticated such videos. Counsel will agree to a protective order which may include a term prohibiting counsel from showing or providing such *Jencks* material to the defendants until such time as *Jencks* is released.

9. Defendants agree to the authenticity of emails and their admissibility provided, however, that the parties identify the emails they intend to introduce. Defendants reserve the right to object to such emails however, should they be incomplete or misleading.

For Robert Cafarelli

/s/ *Carmine Lepore*

Carmine P. Lepore
One Sprague Street
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For Michael Ross

/s/ *Kevin Barron*

Kevin Barron
15 Broad Street
Boston, MA

For John Fidler

/s/ *Timothy O'Connell*

Two 13 th Street
Charlestown Navy Yard
Charlestown, MA 02129

For Daniel Redmond

/s/ *Oscar Cruz*

Oscar Cruz, Jr.
Assistant Federal Defender
51 Sleeper Street, 5th Floor
Boston, MA 02210

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/Carmine Lepore

June 12, 2017